

Calendar No. 488

104TH CONGRESS }
2d Session }

SENATE

{ REPORT
104-313

AUTHORIZING EXTENTION OF TIME LIMITATION FOR A FERC-ISSUED HYDROELECTRIC LICENSE

JUNE 28, 1996.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural
Resources, submitted the following

REPORT

[To accompany H.R. 1014]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 1014) to authorize extension of time limitation for a FERC-issued hydroelectric license, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 1014 is to extend the deadline contained in the Federal Power Act for the commencement of construction of a FERC-licensed hydroelectric project located in the State of Washington.

BACKGROUND AND NEED

Section 13 of the Federal Power Act requires a licensee to commence the construction of a hydroelectric project within two years of the date of the issuance of the license. That deadline can be extended by the FERC one time for as much as two additional years. If construction has not commenced at the end of the time period, the license is terminated by the FERC pursuant to Section 13 of the Federal Power Act. Thus, in the absence of this legislation, the FERC would terminate the license at the end of the time period authorized under the Federal Power Act for commencement of construction.

H.R. 1014 would extend the time required to begin construction of hydroelectric project numbered 3701 for an additional three consecutive two-year periods. It also authorizes and directs the FERC

to reinstate the license if it is terminated prior to the enactment of this legislation.

LEGISLATIVE HISTORY

H.R. 1014 passed the House of Representatives on November 13, 1995.

A companion measure, S. 461, was reported by the Committee on April 27, 1995. Report No. 104-73, Senate Calendar No. 96.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on June 19, 1996, by a unanimous voice vote with a quorum present, recommends that the Senate pass the bill as described herein.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 26, 1996.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 1014, an act to authorize extension of time limitation for a FERC-issued hydroelectric license, as ordered reported by the Senate Committee on Energy and Natural Resources on June 19, 1996. CBO estimates that enacting this legislation would have no net effect on the federal budget. The act contains no intergovernmental or private-sector mandates as defined in Public Law 104-4, and would impose no direct costs on state, local, or tribal governments.

The act would extend the deadline for construction of a hydroelectric project currently subject to licensing by the Federal Energy Regulatory Commission (FERC). This provision may have a minor impact of FERC's workload. Because FERC recovers 100 percent of its costs through user fees, any change in its administrative costs would be offset by an equal change in the fees that the commission charges. Hence, the act's provisions would have no net budgetary impact.

Because FERC's administrative costs are limited in annual appropriations, enactment of this legislation would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to H.R. 1014.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Kim Cawley.

Sincerely,

JUNE E. O'NEILL, *Director.*

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out this measure.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the provisions of the bill. Therefore, there would be no impact on personal privacy.

Little, if any additional paperwork would result from the enactment of this measure.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by H.R. 1014, as ordered reported.

